

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION,
OPIATE LITIGATION

MDL NO. 2804

Case No. 17-MD-2804

Judge Dan Aaron Polster

THIS DOCUMENT RELATES TO:

Rees v. McKesson Corporation, et al.
MDL Case #1:18-OP-45252

Lechuga v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45468

Weatherwax v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45483

Wood v. Purdue Pharma L.P., et al.
MDL Case #1:18-OP-45264

Brumbarger v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45469

Martinez v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45484

Ambrosio v. Purdue Pharma L.P., et al.
MDL Case #1:18-OP-45375

Means v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45470

Warren v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45486

Whitley v. Purdue Pharma L.P., et al.
MDL Case #1:18-OP-45598

Peterson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45472

Carlson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45487

Roach v. McKesson Corporation, et al.
MDL Case No. #1:18-OP-45662

Hampel v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45473

Flach v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45488

Hunt v. Purdue Pharma L.P., et al.
MDL Case No. #1:18-OP-45681

Whittaker v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45475

Ivie v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45489

Hanlon v. Purdue Pharma L.P., et al.
MDL Case No. #1:19-op-45052

Tuttle v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45476

Cherry v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45490

Moore v. Purdue Pharma L.P., et al.
MDL Case No. #1:18-op-46305

Hamawi v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45477

Ortiz v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45492

Rodriguez v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45463

Gauthier v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45478

Meinecke v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45493

Ellis v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45464

Simonson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45479

Brant v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45494

DeMaro v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45465

Delancey v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45480

Williams v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45485

Cruz v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45466

Stewart v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45481

Gilson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45461

Paul v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45467

Shewmake v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45482

Berzinski v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45503

Johnson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45504

Martin v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45508

Muffley v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45507

Alexander v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45502

Kirk v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45509

Collier v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45506

Johnson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45521

Goss v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45518

Martin v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45510

Gauthier v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45514

Tindall v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45530

Lively v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45523

Lyle v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45524

Lyle v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45524

Hutchins v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45505

Kommer v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45522

Gibson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45515

Massey v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45525

Dixon v. Purdue Pharma, L.P., et al.
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Herring v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45519

Goldman v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45516

McAnany v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45526

Shockley v. Purdue Pharma, L.P., et al.
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Taylor v. Purdue Pharma, L.P., et al.
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Taylor v. Purdue Pharma, L.P., et al.
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Goforth v. Purdue Pharma, L.P., et al.
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Atkinson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45531

Perkins v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45535

Thomas v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45542

Watson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45545

Wright v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45543

Shepard v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45536

Chancey v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45533

Whittington v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45541

Scully v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45544

Puckett v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45439

Richardson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45538

VonCannon v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45540

Underwood v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45537

Patterson v. Purdue Pharma, L.P., et al.
MDL Case No. #1:19-op-45534

**NAS PLAINTIFFS' ADDITIONAL BRIEFING IN OPPOSITION TO AMENDED MOTION
FOR ENTRY OF ORDER ESTABLISHING COMMON BENEFIT FUND**

NOW INTO COURT, through undersigned counsel, come the NAS Plaintiffs, who file this Opposition to the *Amended* Motion for Entry of Order Establishing Common Benefit Fund (Doc. 3112) filed by the Plaintiffs' Executive Committee (the "PEC").

NAS PI Plaintiffs oppose imposition of a Common Benefit Fund at this early stage and at the rate proposed by the PEC because the PEC's work has not conferred a substantial benefit to the unique claims advanced by NAS PI Plaintiffs. Indeed, as has been shown by the NAS PI Plaintiffs, the PEC has often worked at cross-purposes and in conflict with this putative class which has advanced unique claims, pleadings, discovery, and expert work.

The PEC's Motion should be denied for the reasons set forth in the opposition separately filed by the NAS Guardians (Doc.3351) and Harris County TX (Doc. 3350), which are adopted herein by reference.

Respectfully submitted,

/s/ Marc E. Dann

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CERTIFICATE OF SERVICE

A copy of the foregoing was filed via the Court's electronic filing system on February 28, 2020. Notice of this filing will be sent by e-mail through the Court's electronic case-filing system to all counsel of record.

/s/Marc E. Dann

Marc E. Dann

Dann Law